

## **Request for Information**

### **BOA/State Education Building**

The State of Delaware, Office of Management and Budget (OMB), is soliciting proposals from qualified buyers, real-estate developers and other individuals or groups who may have an interest in the purchase or development of the state-owned building commonly known as the Bank of America/State Education Building in Wilmington.

- OMB has scheduled a meeting to discuss goals for the BOA/Education Building on **Thursday, July 23<sup>rd</sup> at 1:00 p.m. in the BOA/State Education Building**. Use the entrance at the northwest corner of surface parking lot.
- Proposals due to OMB **Friday, August 14, 2009**.

#### **Background**

OMB purchased the BOA/Education Building from the Bank of America July 2008. At that time OMB intended to use the first floor as a training center and use the remainder of the facility for general office space. Planning progressed to the point to execution, but work required to configure the facility for the state's use was never initiated.

#### **Property Description**

The BOA/Education Building property consists of a four-story building and parking lot on the block bounded by Walnut, French, 9<sup>th</sup> and 10<sup>th</sup> Streets. Three floors are at or above ground level on French Street; the lower level is below grade on French Street and at ground level on Walnut Street.

The building encompasses approximately 59,000 gross sq. ft. of office, meeting and training space plus a 5,336 sq. ft., two-story basketball court located on the lower level. The parking lot, in its current configuration, can accommodate 103 vehicles; a service lane located adjacent to the south side of the building runs between Walnut and French Streets and can be used to increase the total area devoted to parking.

Please see *Attachment A* for floor plans of the building.

#### **Goals**

OMB intends to seek the most productive and highest value use of the BOA/Education Building and its parking lot. All suggestions and proposals, including the outright purchase of the building, will be considered. However, proposals incorporating the following prioritized scenarios are likely to be afforded the closest evaluation:

1. The phased development of the surface parking lot:
  - a. **Immediate:** The conversion of the surface parking lot into a DTC transit hub to replace existing transfer points on Rodney Square. Please see *Attachment B* for a list of major attributes for incorporation into the transit hub. If proposals incorporate the construction of multi-level parking structure on the site of the parking surface parking lot (see bullets b. and c. below), implementation of the transit hub may follow construction of the parking structure.
  - b. **Immediate or As Soon as Practical:** The construction of a multi-level parking structure on the footprint of the surface parking lot *above* the DTC transit hub. It is OMB's intent that the parking structure be designed to accommodate the future construction of a building above the parking structure.
  - c. **Long Term:** The eventual construction of a mixed-use facility above the multi-level parking structure that provides a possible mix of retail, commercial, public or residential space.
2. The long-term third-party management and operation of the building and lease of all or a majority of the facility to tenants seeking Class A office space. Net income returned to the State would be expected to be commensurate with the value of the facility. Term of the envisioned management agreement remains to be determined.
3. 900 King Street, the "Old Family Court" Building: 900 King Street encompasses a total of 69,300 sq. ft. on four floors and a basement. *Please see Attachment C for floor plans of the building.* Floors one through three are occupied by various State agencies; the fourth floor is currently unoccupied. OMB may consider:
  - a. The exchange of the building for equivalent space in or around the vicinity of the Carvel Building or New Castle County Courthouse;
  - b. Renovation of the building to enable full occupancy. A renovation will, at a minimum, include the following scope of work:
    - New heat pumps and associated mechanical equipment (heat pumps are ceiling-mounted and also located on outside walls below exterior windows).
    - New windows.
    - New or refurbished elevators.
    - Updated life/safety systems.
    - Painting and new carpeting for occupied areas of the building.
    - Configuration and fit out of currently unoccupied space on the 4<sup>th</sup> floor.

### **How to Respond to this Request for Information**

- If interested, please contact Bob Furman at 302-739-5644 or [Robert.furman@state.de.us](mailto:Robert.furman@state.de.us)
- Although attendance is not required, please attend a meeting to discuss OMB's goals for the BOA/Education Building on Thursday, July 23<sup>rd</sup> at 1:00 p.m.. Meeting Location: The BOA/Education Building – Entrance on French Street at the northwest corner of the surface parking lot.
- Informal proposals must be submitted to the Office of Management and Budget by **Friday, August 14, 2009**, at the following address:

Office of Management and Budget  
Facilities Management  
540 South DuPont Highway, Suite 1  
Dover, DE 19901  
Attn: Bob Furman

### **Content and Form of Submission**

This RFI is primarily intended to solicit informal proposals for the sale, use or development of the BOA/Education Building. Proposals are not required to conform to a specific format, but they should include the following information:

- Name, address, telephone number and email address of person, firm or organization submitting proposal. Contact person if submission is from a firm or organization.
- Financial and historical qualifications of the proposing person, firm or organization to implement proposals pertaining to the BOA/Education Building or 900 King Street.
- A detailed description of the proposed sale, development or use of the BOA Building. Provide financial information including projected sales or lease revenue. If the proposal is for other than the outright sale of the BOA/Education Building, include a basic Pro Forma covering the term of a proposed agreement.
- At least one example of a similar sale or project initiated during the last five years. Include a description of owner goals and objectives, project outcomes and a brief summary of financial results.

## **Confidentiality**

OMB will maintain a confidential process for the duration of this phase of investigation. The information submitted may include financial and other capacities of the Submitter to perform the proposed project that are considered confidential or trade secrets. This information shall be submitted in a format clearly marked "confidential," and the information contained therein shall be treated as confidential and shall not be considered a "public record" as defined in 29 Del.C. Section 10002(g)(2).

Further, if the Submitter submits information that it wishes to protect from disclosure, the Submitter must do the following:

- A. Clearly mark all proprietary or trade secret information as such at the time of submittal and include a cover sheet stating "DOCUMENT CONTAINS CONFIDENTIAL PROPRIETARY OR TRADE SECRET INFORMATION" and identifying each section and page which has been so marked;
- B. Include a statement justifying your determination that certain items are proprietary or trade secret information for each item so defined;
- C. Submit one copy that has all the proprietary or trade secret information deleted and label such copy "Public Copy", and;
- D. Defend any action seeking release of the items you believe to be proprietary or trade secret information and indemnify, defend, and hold harmless OMB and the State of Delaware and its agents and employees from any judgments awarded against OMB and its agents and employees in favor of the party requesting the records, including any and all costs connected with that defense. This indemnification survives OMB's cancellation or termination of this process or subsequent award and execution of a Contract. In submitting a proposal, you agree that this indemnification survives as long as the confidential business information is in possession of the State.

All records pertaining to any subsequent procurement will become public information after execution of the Contract, unless such records are proprietary or trade secret information. Any records marked as proprietary or trade secret information submitted in your proposal will be returned after the execution of the Contract.

## **Evaluation of Proposals**

OMB will assemble a team of facilities, financial, legal and operating agency personnel to evaluate proposals according to the following basic criteria. It is likely that some or all responders will be invited to discuss and consider proposals with the evaluation team:

- Maximizes financial return on investment to the State of Delaware.
- Results in the optimum, most productive use of the facility.
- Likelihood of success.
- Time to implement.
- Term of agreement.

### **Post-Evaluation Process**

OMB will use information gleaned from the proposals to refine goals and objectives, evaluate third-party management and development scenarios not previously considered and develop a process that will result in formal proposals for the sale, management or development and use of the BOA/Education Building. Although OBM **will not sell the facility or award a management contract** as a result of this RFI, OMB intends to pursue a post-evaluation process to enable the development and use of the facility as quickly as possible.